



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Ocean City Police Department
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February 20, 2019

TO: House Judiciary Committee, Senate Judiciary Proceedings
Committee, & Legislative Policy Committee

FROM: Ross Buzzuro, Chief of Police

SUBJECT: License Plate Reader (LPR) Program information per Public Safety Article 3-509

Maryland House Judiciary Committee:

Chair – Luke H. Clippinger
House Office Building, Room 101
6 Bladen Street, Annapolis, MD 21401

Maryland Senate Judicial Proceedings Committee:

Chair – Robert A. Zirkin
Miller Senate Office Building, 2 East Wing
11 Bladen Street, Annapolis, MD 21401 - 1991

Maryland Legislative Policy Committee:

Co-Chair – Thomas V. Mike Miller Jr.
Co-Chair – Michael E. Busch
c/o Department of Legislative Services
Legislative Services Building, Room 200B, 90 State Circle, Annapolis, MD 21401

Honorable Chairmen,

In accordance with 2-1246 of the State Government Article, the Maryland Coordination & Analysis Center is reporting the following information regarding captured License Plate Reader (LPR) data 2018:

1. The total number of automatic license plate reader units being operated by the Ocean City Police Department.

Mobile Units: 1 Camera Systems

Fixed Sites:

Route 50 – 4 Cameras

Route 90 – 2 Cameras

140th Street – 6 Cameras

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2. The number of automatic license plate reader readings made by the Ocean City Police Department.

Mobile Unit – 8,347
Fixed Sites – 15,156,957

3. The number of automatic license plate reader readings being retained on the automatic license plate reader database. **Reads are retained for a 60 day period to ensure the data is successfully transmitted to the Maryland Coordination and Analysis Center, then deleted.**
4. The number of requests made to the Ocean City Police Department. **Eight (8)**
5. The number of requests that resulted in a release of information. **Four (4)**
6. The number of out of state requests. **Zero (0)**
7. The number of federal requests. **Zero (0)**
8. The number of out of state requests resulting in a release of information. **Zero (0)**
9. The number of federal requests that resulted in a release of information. **Zero (0)**
10. Any data breaches or unauthorized uses of the automatic license plate reader database. **None**
11. A list of audits completed by the Ocean City Police Department. **See attached.**
12. Any law enforcement agency using an automatic license plate reader system shall adopt procedures relating to the operation and use of the system. **The Ocean City Police Department developed and implemented Standard Operating Procedure OPS-012 outlining departmental procedure for operation and use of L.P.R. systems. All authorized users received training in 2018.**
 - i. Which personnel in the law enforcement agency are authorized to query captured plate data gathered by an automatic license plate reader system. **There are only two (2) Ocean City Police officers authorized to query L.P.R. data.**

- ii. An audit process to ensure that information obtained through the use of an automatic license plate reader system is used only for legitimate law enforcement purposes, including audits of requests made by individual law enforcement agencies or an individual law enforcement officer. **See attached request form / audit.**
- iii. Procedures and safeguards to ensure that staff with access to the automatic license plate reader database are adequately screened and trained. **The two (2) authorized personnel are sworn law enforcement officers. Both are police commanders with the rank of Lieutenant. Both have background clearance.**

For additional information, please contact the Ocean City Police Department License Plate Reader Administrator Lt. Scott Harner at 410-520-5318 or at sharner@oceancitymd.gov.



Ross Buzzuro
Chief of Police

Audit Questions (Step 1)

Goal	Question	Answer	Comments
1	Have procedures been adopted relating to the operation and use of the LPR system? [Cite policy number	YES	Standard Operating Procedure OPS-012
2	Are staff with access to the Automatic License Plate Reader database adequately screened and trained in the proper use of the system and all privacy policies relating thereto?	YES	All License Plate Reader users must receive training prior to being given access to the viewer software.
3	Does the agency maintain training records for each user?	YES	
4	Is the training curricula maintained?	YES	
5	Are training records annually reviewed for relevancy and effectiveness?	YES	
6	Does the agency accept law enforcement requests for license plate data collected by an LPR system?	YES	
7	If historical data is accessed, does the agency have an audit trail?	YES	
8	Is the audit trail maintained for at least 3 years?	YES	
9	Have audit procedures been adopted to ensure that information obtained through the use of an LPR system is used only for legitimate law enforcement purposes?	YES	See attached request form.
AGENCY: Ocean City Police Department		SCOPE OF AUDIT:	Compliance with SB 699
COMPLETED BY: Lt. Scott Harner		DATE COMPLETED:	February 20, 2019
REVIEWED BY: Lt. Scott Harner		DATE REVIEWED:	February 20, 2019

	Question # 1	Question #2	Question # 3	Question # 4	Question #5	Results
Record #	Report/Incident Number	Is the date and time of request documented?	Is the purpose of the request documented?	Does the request include the identity of the agency requesting the query?	Has the request been validated through the requesters agency?	Findings shall be listed as: Accurate, Inaccurate, Unable to locate or Incomplete
1	2018-004343	Yes	Yes	Yes	Yes	Unable to locate
2	18 - 10	Yes	Yes	Yes	Yes	Accurate
3	GC180071	Yes	Yes	Yes	Yes	Accurate
4	2018-002252	Yes	Yes	Yes	Yes	Accurate
5	2018-002252	Yes	Yes	Yes	Yes	Accurate
6	2018-002252	Yes	Yes	Yes	Yes	Unable to locate
7	2018-006126	Yes	Yes	Yes	Yes	Unable to locate
8	2018-006126	Yes	Yes	Yes	Yes	Unable to locate
9						
10						
11						
12						
13						
14						
15						
16						

Certifying Official:

Lt. Scott Harner

Date:

2/20/19

Signature:

[Signature]



Ocean City Police Department
Standard Operating Procedure

S.O.P.-OPS 012

Effective: 07/27/2011

Subject: Automated License Plate Recognition

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I. Purpose:

The purpose of this policy is to provide employees with guidelines on the proper use of automated license plate recognition (A.L.P.R.) systems.

II. Definitions:

- A. **A.L.P.R.** Automated License Plate Recognition.
- B. **Read:** Digital images of license plates and vehicles and associated metadata (date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the A.L.P.R. system database.
- C. **Alert:** A visual and/or auditory notice that is triggered when the A.L.P.R. system receives a potential "hit" on a license plate.
- D. **Hit:** A read matched to a plate that has previously been registered on an agency's "hot list" of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually registered by a operator for further investigation. A hit is not conclusive confirmation of a match.
- E. **Hot list:** A database of license plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to "hot lists" circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), AMBER Alerts, Department of Homeland Security watch lists, Maryland Motor Vehicle Administration lists, as well as Departmental lists. These lists serve an officer safety function as well as an investigatory purpose. In addition to agency supported hot lists, operators may also manually add information to hot lists in order to be alerted if and when a vehicle license plate of interest is "read" by the A.L.P.R. system.
- F. **A.L.P.R. System:** A.L.P.R. cameras and/or computers and software that are affixed, either permanently or temporarily to a law enforcement vehicle or to a fixed object.
- G. **Active A.L.P.R. Data:** Information provided to an A.L.P.R. operator in real-time in the form of alerts that a license plate number contained in the hot list is near an A.L.P.R. unit. This includes A.L.P.R. data recorded during a patrol shift that is contained in the ALPR and has not been transferred to the historical database server.
- H. **Historical A.L.P.R. Data:** A database containing the dates, times, and locations of individually identifiable motor vehicles that is stored for future use



III. Policy:

A.L.P.R. systems are primarily used for the identification of stolen vehicles, stolen license plates, and wanted and missing persons. It is the policy of the Department that A.L.P.R. systems will be utilized only by sworn employees or by authorized administrators who are trained in the use of A.L.P.R. systems.

IV. Procedures:

A. General

1. The use of A.L.P.R. systems and access to its database records is restricted and shall be used in accordance with the manufacturer's recommendations and this policy
2. No employee shall use or authorize the use of A.L.P.R. database records for reasons that are not legitimate law enforcement purposes. Misuse of this equipment and associated databases, or data, may result in disciplinary action.
3. A.L.P.R. systems and A.L.P.R. database records and any associated media are the property of the Department and are intended for law enforcement purposes.

B. Administration

1. The Department shall designate an employee(s) with administrative oversight for A.L.P.R. system deployment and operations who is (are) responsible for the following:
 - a. Establishing protocols for access, collection, storage, and retention of A.L.P.R. databases and associated data.
 - b. Establishing protocols to preserve and document A.L.P.R. reads and "alerts" or "hits" that are acted on in the field or associated with investigations or prosecutions.
 - c. Establishing protocols to ensure the security and integrity of data captured, stored, and/or retained by the A.L.P.R. system.
 - d. Ensuring compliance with the terms of any M.O.U. (memoranda of understanding) associated with A.L.P.R. systems.
2. Designated, trained personnel shall check equipment on a regular basis to ensure functionality and camera alignment. Equipment that falls outside expected functionality shall not be used and shall be removed from service until the A.L.P.R. system is tested and repaired if necessary.
3. A.L.P.R. systems diagnostics and repairs, hardware or software, shall be made by Department authorized sources.



C. A.L.P.R. Deployment and Use

1. At the start of each shift operators shall ensure that the A.L.P.R. system has been updated with the most current hot lists available.
2. Operators can obtain the current hot list at <https://sftp.mdot.state.md.us/>. Operators shall then enter their user name and password and obtain the file.
3. Upon receiving an alert, prior to initiating a stop, the A.L.P.R. operator shall utilize whatever information is available to determine the accuracy of the hit by;
 - a. Visually verifying that the vehicle plate number matches the plate number captured by the A.L.P.R. system, including both alphanumeric characters of the license plate and the state of issuance.
 - b. Verify the current status of the information provided by the hit through the Communications Section or MCT query. Receipt of a hit is not sufficient probable cause to initiate a stop without verification. Verification of the information is essential before initiating a stop, furthering the investigation or taking any enforcement action.
4. If an operator verifies a hit as being accurate, the operator shall take appropriate action in accordance with Department policy and procedure.
5. In each case in which a hit is received, the operator should record the disposition of the hit into the A.L.P.R. system by selecting either "Accept" or "Misread"
6. Administrators and operators may manually enter information into the A.L.P.R. system database. Whenever information is manually entered into the database;
 - a. It must be for legitimate law enforcement purposes.
 - b. It is the responsibility of the person entering the information to remove the information once it no longer serves a legitimate law enforcement purpose.
7. Searches of historical A.L.P.R. data within the A.L.P.R. system database shall be conducted in accordance with established departmental policies and procedures.

D A.L.P.R. Data Sharing and Dissemination

Both active A.L.P.R. data and historical A.L.P.R. data should be considered "for official use only" and can be shared for legitimate law enforcement purposes:



1. When A.L.P.R. data is disseminated outside the Department, it should be documented in a secondary dissemination log.
2. Information sharing among agencies should be dictated in accordance with M.O.U.s or established Departmental policies.

E. Maintenance

1. A.L.P.R. operators shall not attempt to modify the A.L.P.R. system equipment or software
2. A vehicle equipped with an A.L.P.R. system shall not be driven into any automatic car wash
3. A.L.P.R. camera lenses may be cleaned in accordance with the manufacturers' recommendations
4. A.L.P.R. operators shall notify a supervisor and the A.L.P.R. Administrators via official channels of any A.L.P.R. equipment needing maintenance of repair.

Reference(s): I.A.C.P. Model Policy – License Plate Readers
M.S.P. Model Policy – License Plate Recognition Program

Supersedes:

Legal Review and Approval: 05/20/2011

Distribution Date: 07/27/2011 **Distribution Type:** A **Chief of Police:** *Bernadette A. DiPino*

